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9 UNITED STATES DISTRICT COURT FOR THE  
10 EASTERN DISTRICT OF WASHINGTON

11 SHARI'S MANAGEMENT  
12 CORPORATION, a Delaware  
13 Corporation,

14 Plaintiff, No. CV-05-174-JLQ

15 v.

16 WANDERMERE INVESTMENTS,  
17 LLC, a Washington Limited Liability  
18 Company; and RICHARD A.  
19 VANDERVERT and JANE DOE  
VANDERVERT, husband and wife

20 Defendants. **PROTECTIVE ORDER**

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22 This matter having come on before the above entitled Court on the Joint  
23 Motion of the parties for a Protective Order and the Court being otherwise fully

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29 PROTECTIVE ORDER - 1

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advised in the premises, hereby enters the following Protective Order regarding materials produced in discovery in this case:

1. The term “discovery materials” means documents (whether paper or electronic copies) produced in response to requests for production, interrogatories, and as the result of deposition testimony.

2. Any discovery materials which contain confidential and/or proprietary information may be designated by the party supplying the discovery materials as "confidential". The party shall make such designation in writing to the opposing counsel. A designation by counsel for the producing party of the documents by type or nature, shall be sufficient, and counsel need not designate each and every document separately as confidential. If there is a dispute over whether certain information is properly designated as confidential, then any party may apply to the court to resolve the dispute, provided that pending resolution of the dispute, the designated discovery materials shall continue to be treated as confidential pursuant to this Order.

3. Any documents designated as “confidential” under this Order shall be held confidential by the parties and their attorneys, and shall not be disclosed

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1 to any other person nor made use of for any other purpose except as necessary in  
2 the prosecution or defense of this lawsuit, involving the parties to this Order.

3 Confidential information under this Protective Order may be disclosed to such  
4 other persons only after they have been shown this Order and they have agreed  
5 in writing to be bound by its terms.  
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7       4. Persons assisting counsel in preparation of this litigation, including  
8 consulting and trial experts, may be provided access to the discovery materials,  
9 but only upon showing them this Order and advising them that they are bound  
10 by its terms.  
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12       5. Any copies or reproductions of discovery materials designated as  
13 confidential for use in connection with this litigation, absent an order negating  
14 such designation, shall be used only for that purpose, and upon conclusion of the  
15 litigation, all such copies or reproductions shall either be destroyed or returned  
16 to the party providing the information upon the party's request; provided,  
17 however, that if no such request is made within sixty days after the conclusion of  
18 the litigation, the other party may destroy such documents.  
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PROTECTIVE ORDER - 3

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6. Except as provided in this Order, discovery materials designated as confidential and information disclosed in the materials shall be held strictly in confidence, and shall not be disclosed to anyone else, by the parties or by their attorneys.

7. In the event any of the materials described in this Order are filed with the Court as exhibit to a pleading, the parties may request that the Court seal the exhibit.

8. Nothing contained in this Order affects in anyway or to any degree the admissibility of any discovery material or any information disclosed under the terms of this Order. The admissibility of such material and information shall be governed by the Rules of Evidence and Procedure in the same manner as any other potential evidence in this case.

9. Nothing in this Order shall infringe upon the right of any party to object to providing information or documents which is subject to the attorney-client privilege, or which is non-discoverable on any other legitimate ground.

Dated December 5, 2005.

s/  
SENIOR JUDGE JUSTIN L. QUACKENBUSH

FELTMAN, GEBHARDT, GREER & ZEIMANTZ,  
P.S.

**PROTECTIVE ORDER - 4**